

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

39078-0009US1

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/531,726

INTERNATIONAL APPLICATION NO.

PCT/EP03/11604

INTERNATIONAL FILING DATE

20 October 2003 (20.10.2003)

PRIORITY DATE CLAIMED

18 October 2002 (18.10.2002)

TITLE OF INVENTION

FACTOR INVOLVED IN METASTASIS AND USES THEREOF

APPLICANT(S) FOR DO/EO/US

Anke KLIPPEL-GIESE, Joerg KAUFMANN, and Rolf SCHWARZER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ had been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 132 and 37 CFR 1.821-1825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Amendment in Response to Notice; copy of Notice (dated 12/19/05); Request for Ext. of Time

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.7)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/531,726		PCT/EP03/11604		39078-0009US1	

21. The following fees are submitted: <input type="checkbox"/> a) Basic national fee.....\$300.00 <input type="checkbox"/> b) Examination fee\$200.00 <input type="checkbox"/> c) Search fee.....\$500.00 <div style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</div>				CALCULATIONS PTO USE ONLY	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$	
TOTAL SHEETS	EXTRA SHEETS	NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number)	RATE		
-100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x \$50.00	\$	
Independent claims	- 3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00		
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				\$ 130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
TOTAL NATIONAL FEE =				\$ 130.00	
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
TOTAL FEES ENCLOSED =				\$ 250.00 (w/1 month EOT)	
				Amount to be refunded:	\$
				Amount to be charged:	\$

03/17/2006 MKAYPAGH 00000046 10531726

01 FC:16:17 130.00 OP

a. ☒ A check in the amount of \$250.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.

A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment

To Deposit Account No. 08-1641 A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

HELLER EHRMAN LLP
 1717 Rhode Island Avenue, N.W.
 Washington, DC 20036
 Customer No. : 26633

SIGNATURE

NAME Paul M. Booth

REGISTRATION NUMBER 40,244

Date Mark J. Booth

COMBINED FEE TRANSMITTAL

for FY 2005

Effective 12/08/2004. Patent fees are subject to annual revision.

PTO/SB/17 (12-04) (Revised) (For payment of 37 CFR 1.17 fees including (f), (g), (h), & (i))

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**250.00**

Complete if Known

Application Number	10/531,726
Filing Date	April 18, 2005
First Named Inventor	Anke KLIPPEL-GIESE et al.
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	39078-0009US1

METHOD OF PAYMENT (check one)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account

Deposit Account Number: 08-1641

Deposit Account Name: Heller Ehrman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☒ Credit any overpayments and charge any deficiencies

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the deposit account

FEE CALCULATION (continued)

4. PETITION FEES UNDER 37 CFR 1.17 (f) Fee Paid
Fee Code: 1462 Fee \$ 400 For petitions filed under:
§ 1.53(e); § 1.57(a); § 1.182; § 1.183; § 1.378(e); § 1.741(b)

5. PETITION FEES UNDER 37 CFR 1.17 (g) Fee Paid
Fee Code: 1463 Fee \$ 200 For petitions filed under:
§ 1.12; § 1.14; § 1.47; § 1.59; § 1.103(a); § 1.136(b); § 1.295; § 1.296; § 1.377; § 1.550(c); § 1.956; § 5.12; § 5.15; § 5.25

6. PETITION FEES UNDER 37 CFR 1.17 (h) Fee Paid
Fee Code: 1464 Fee \$ 130 For petitions filed under:
§ 1.19(g); § 1.84; § 1.91; § 1.102(d); § 1.138(c); § 1.313; § 1.314

7. PROCESSING FEES UNDER 37 CFR 1.17 (i) Fee Paid
Fee Code: 1808 (1803 for § 1.221) Fee \$ 130 For petitions filed under:
§ 1.28(c)(3); § 1.41; § 1.48; § 1.52(d); § 1.53(b)(3); § 1.55; § 1.99(e); § 1.103(b); § 1.103(c); § 1.103(d); § 1.217; § 1.221; § 1.291(c)(5); § 1.497(d); § 3.81

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Applicati on Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	135	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

SUBTOTAL (1) \$

2. EXTRA CLAIM FEES

Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
50	25	Each claim in excess of 20 or, for Reissues, each claim in excess of 20 and more than in the original patent
200	100	Each Independent claim in excess of 3 or, for Reissues, each independent claim more than in the original patent
360	180	Multiple dependent claim, if not already paid

Extra Claims		Fee from above	Fee Paid	
Total Claims	-20** =	x		
Independ ent Claims	-3** =	x		

**or number previously paid, if greater; For Reissues see below

Multiple Dependent		=	
37/17/E006 HKAYFADH 00000046 10531726			

SUBTOTAL (2) \$

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof (round up to the whole number). See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s)

Total Sheets	Extra Sheets	Number of each additional 50	Fee (\$)	Small Entity Fee (\$)
	-100 =	/50 =	x 250	OR x 125

SUBTOTAL (3) \$

8. OTHER FEES

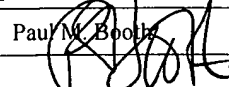
Entity Fee (\$)	Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	130
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
120	60	Extension for reply within first month	120
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
500	250	Filing a brief in support of an appeal	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1,510	1,510	Petition to institute a public use proceeding	
500	250	Petition to revive - unavoidably abandoned application	
1,500	750	Petition to revive - unintentionally abandoned application	
50	50	Processing fee for provisional appls (37 CFR 1.17(q))	
180	180	Submission of Information Disclosure Statement	
1,000	500	Request for oral hearing	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
790	395	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify)

SUBTOTAL (4+5+6+7+8) \$ 250.00

* Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type)	Paul M. Booth	Registration No. (Attorney/Agent)	40,244	Telephone	202-912-2000
Signature		Date	March 17, 2006	Customer No.	26633

Complete (if applicable)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

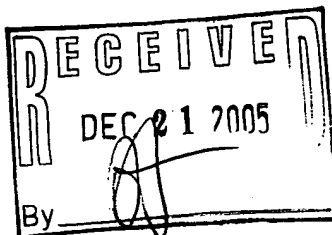
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/531,726	Anke Klippel-Giese	39078-0009US1

INTERNATIONAL APPLICATION NO.

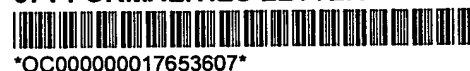
PCT/EP03/11604

I.A. FILING DATE	PRIORITY DATE
10/20/2003	10/18/2002

26633
 HELLER EHRMAN WHITE & MCAULIFFE LLP
 1717 RHODE ISLAND AVE, NW
 WASHINGTON, DC 20036-3001



CONFIRMATION NO. 2321
 371 FORMALITIES LETTER



OC000000017653607

Date Mailed: 12/19/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/18/2005
- Copy of the International Search Report filed on 04/18/2005
- Copy of IPE Report filed on 04/18/2005
- Preliminary Amendments filed on 04/18/2005
- Information Disclosure Statements filed on 04/18/2005
- Biochemical Sequence Diskette filed on 04/18/2005
- Biochemical Sequence Listing filed on 04/18/2005
- U.S. Basic National Fees filed on 04/18/2005
- Priority Documents filed on 04/18/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,726	PCT/EP03/11604	39078-0009US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): KLIPPEL-GIESE, ANKE et al.

Confirmation No. 2321

Applic. No.: 10/531,726

Examiner: Unassigned

Filing Date: April 18, 2005

Art Unit: Unassigned

Title: NEW FACTOR FOR METASTASIS
AND USES THEREOF

TRANSMITTAL OF SUGGESTED DRAWING CHANGE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

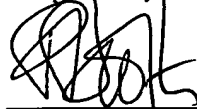
Further to Applicants' Amendment, attached herewith, which explains the suggested drawing changes for Figure 6 (1 sheet) Applicants submit herewith marked up Figure 6 (1 sheet).

It is respectfully requested that the Examiner accept the proposed drawing changes for entry into the application.

Date: March 13, 2006

Heller Ehrman LLP
1717 Rhode Island Avenue, NW
Washington, D.C. 20036
Telephone: (202) 912-2000
Facsimile: (202) 912-2020

Respectfully submitted,



Paul M. Booth
Attorney for Applicant
Reg. No.: 40,244
Customer No. 26633